(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 1886 /2003

PETITIONER : Umesh Sonwani, Aged 30 Years
S/o Shri Kartik Ram Sonwani
R/o. Vill. Bhakhara,
Tah. Kurud,Distt.Dhamtari (C.G.)

VERSUS

RESPONDENTS :1. The State of Chhattisgarh
Through Secretory
Panchayat Department
D.K.S.Bhawan, Raipur (C.G.)

2. Sub- Divisional Officer
Damtari Distt.Dhamtari (C.G.)

3. Chhaman Lal Sahu, Aged about 32 years, S/o Manak Lal Sahu,

4. Mehatter Ram Sahu, Aged about 50 Years, S/o Ramratan Sahu

5. Santosh Sahu, aged about 32 years, panch

No. 3 to 5 are R/o Vill. Bhakhara, Tah. Kurud,Distt.Dhamtari (C.G.)

6. The Collector
Dhamtari (C.G.)

P. R. No. 1226/03
Presented by Shri Kanak Lal Sahu
dated 25.6.03

शपथ आयुक्त
एस.के शुक्ला
बिलासपुर (छत्त.)
25/6/03
बिलासपुर तहसील कोर्ट

RECEIVED COPY.
25/06/03
CLERK TO A.G. BILASPUR

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONER**

As stated above in the cause title.

XI-HC--78

(4)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 1886/2003 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	02-07-2003	

Shri Parag Kotecha, counsel for the petitioner.

Shri Sanjay K. Agrawal, Dy. Adv. General, on behalf of respondent Nos. 1 and 2.

Being aggrieved by the Order dated 06-06-2003 (Annexure-P/5) passed by the Collector, Dhamtari, the petitioner has filed this petition under Articles 226 and 227 of the Constitution of India. By the impugned order the Collector refused to stay the operation of the Order dated 03-06-2003, passed by the Sub Divisional Officer, whereby the petitioner was removed from the post of Sarpanch.

The case of the petitioner is that he was an elected Sarpanch of Gram Panchayat Bhakhra. Respondents No.3 and 5 filed a complaint against the petitioner on which an enquiry was ~~ordered to~~ be conducted ~~by respondent No.4~~ and after completion of the enquiry a show cause notice was issued by respondent No.2 and thereafter respondent NO.2 passed the final order dated 03-06-2003, consequent to which the petitioner was removed from the post of Sarpanch. Against that order the petitioner filed an appeal before respondent No.6 and the matter has been fixed for final hearing on 08-07-2003. However, the stay as sought for by the petitioner was refused by respondent No.6 vide order dated 06-06-2003.

(43)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.1886/2003 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

After hearing the counsel for the parties and perusing the material before me and taking into consideration the fact that since the matter has already been fixed for final hearing, I do not find any reason to interfere with the order dated 06-06-2003 passed by the Collector. However, as the date of final hearing has already been fixed on 08-07-2003, it is directed that the respondent NO.6 shall dispose of the appeal as soon as possible preferably within a period of two weeks from today.

With the observations made above, the petition is disposed of.

In view of this order applications MW.P.No. 1702/2003 and I.A.Nos. 5624 and 5625 of 2003 stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

S4664

GRPRJ—FS/78 —3/200(—50,000.